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D Dis 502/54

COORG GOVERNMENT SECRETARIAT

File No. .....

Serial No. .....

195

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B Collection

Month and Year of Record 195

SUBJECT

Action Taken or Proposed to be taken on the resolutions adopted at the Second Session of the I.L.O Committee of Experts on Indigenous Labour Geneva March 1954

Previous References

Later References

WD 1640—GBPM—10,000—27 1-54.

Sub.- Action taken or proposed to be taken on the resolutions adopted at the Second Session of the I.L.C Committee of Experts on Indigenous Labour Geneva March, 1954

Endorsement no. dis. 475 - L.W. 54 dated 2-11-54 from the commissioner of Labour, Coorg

The P.U.C. may please be perused with reference to the letter from the Govt. of India. While forwarding a copy of the resolutions adopted at the above session, they have requested that a statement of action taken or proposed to be taken on them may be furnished to them

The commissioner of Labour, Coorg, has furnished the necessary information. A reply on the same lines may be sent to the Govt. of India. Draft letter to the Govt. of India is put up for approval

Record 'B' Class
for Chief Secretary
20.11.54

OFFICE OF THE
MINISTER FOR LAW AND ORDER.
COORG.
No. H.396 Date 5/11/54

4.11.54

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GOVERNMENT SECRETARIAT COORG
2 SEP 1954
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GOVERNMENT OF INDIA
MINISTRY OF LABOUR.

No.RD 105(2)

Dated New Delhi, the 15 SEP 1954

From

Dr.S.T. Merani, Ph.D., I.A.S.,
Deputy Secretary to the Government of India.

To

1. All State Governments (except Jammu and Kashmir).
2. The Secretary,
Employers' Federation of India,
Elphinstone Buildings, Churchgate Street,
Bombay.
3. The Secretary,
All India Organisation of Industrial
Employers, 26, Ferozshah Road, New Delhi.
4. The Secretary,
Indian National Trade Union Congress,
17, Queensway, New Delhi.
5. The Secretary,
All Indian Trade Union Congress,
R.L. Trust Building, 55, Girgaon Road,
Bombay-4.
6. The Secretary, Hind Mazdoor Sabha,
Servants of India Society's Home,
Sandhurst Road, Bombay-4.
7. The Secretary,
United Trade Union Congress,
249, Bow Bazar Street (Ist Floor),
Calcutta-12.

Sir,

Subject:- Action taken or proposed to be taken on the resolutions adopted at the Second Session of the I.L.O. Committee of Experts on Indigenous Labour, Geneva, March, 1954.

....

I am directed to forward herewith a copy of the resolutions adopted at the Second Session of the I.L.O. Committee of Experts on Indigenous Labour (Geneva, March 1954) and to request that these may kindly be examined and a statement of action taken or proposed to be taken on them forwarded so as to reach this Ministry by the 1st November, 1954.

Yours faithfully,

S.T. Merani

(S.T.Merani)
Deputy Secretary.

Copy with a copy of the enclosures forwarded to:-

1. The Ministry of States (for onward transmission to the Government of Jammu and Kashmir for similar action).

2. The Planning Commission (For Supply of inspection on the subject, if any, available with them)

3. Director Labour Bureau, Simla, (for supply of information on the Subject, if any, available with him)

S. T. Merani

(S.T. Merani)
Deputy Secretary.

FEV
RGM

No. A. 10 · 11577 Meerana, the 15th Sept., '54 the October

Copy with the enclosure in original forwarded to the Commissioner of labour, Coorg. for remarks by the 20th Oct, '54 The enclosures in any please be returned with the reply

DESPATCHED.

Jha
22.9.54
for Ch. Secy

22.9.54

RESOLUTIONS ADOPTED AT THE SECOND SESSION OF THE COMMITTEE OF EXPERTS ON INDIGENOUS LABOUR (GENEVA, MARCH, 1954)

I. RESOLUTION CONCERNING THE RAISING OF THE STANDARD OF LIVING OF INDIGENOUS FOREST DWELLERS

The Committee of Experts on Indigenous Labour of the International Labour Organisation,

Considering that the social and economic impoverishment and the level of cultural development generally prevailing among indigenous forest dwellers are due to historical and in some cases continuing contemporary exploitation, to the geographic situation of the regions in which they live, the inadequacy of their means of subsistence and their inability to increase those means, their conceptions of disease and their methods of treating it, their ignorance of elementary rules of hygiene and the absence or insufficiency of medical assistance services in the areas in which they live;

Considering that the absence of reasonably complete and systematic study of social conditions among these peoples and of the economic circumstances in which they live hinders the framing of co-ordinated plans and the taking of every concrete action to assist them; and

Considering that the economic advancement of indigenous forest dwellers is the most important immediate method of bringing about their social advancement and gradually absorbing them into the national communities -

Requests the Governing Body of the International Labour Office to authorise the Director-General, in close consultation with the United Nations and the specialised agencies, according to their mutual agreements:

(a) to call the attention of the governments concerned to the need for coherent and systematic action to assist indigenous forest dwellers within the framework of a clearly defined policy for the protection and gradual integration of the said peoples;

(b) to offer every necessary assistance to the governments concerned in making the necessary basic studies of social conditions and economic circumstances of indigenous forest dwellers;

(c) to suggest that in framing such policies and taking such action the governments should be guided by the following recommendations with due regard to the groups concerned, taking into account regional differences and the variability and degree of their acculturation.

Analysis of Cultural Environment

1. Any protection programme which has in view the integration of indigenous forest dwellers into the national community should be based on a careful study of the culture of the indigenous populations, with particular reference to the following aspects:

(a) their ecological adjustment;

(b) their position with regard to the ownership of the land they occupy;

(c) their place and role in the economic structure of the area;

(d) their annual cycle of activities;

(e) their tools for dealing with their geographical and physical environment;

(f) their traditional forms of association for dealing with their geographical and physical environment and for ensuring subsistence;

(g) their degree of effective knowledge of their environment, their educational patterns, religion and world view;

(h) their standard of life.

Economic Development

2. A careful study should be made of the natural resources existing above and below ground in the regions inhabited by indigenous forest dwellers to enable an accurate assessment to be made of the possibilities of developing such areas.

3. Experimental stations should be set up in the most suitable localities to determine the best agricultural, stock-rearing, forestry and handicraft techniques and to teach these techniques by methods appropriate to the levels of cultural, economic and social development reached by the peoples concerned.

4. These peoples should be helped to appreciate the necessity and the means of building up reserves of seed, root crops, fodder and fruit so that they can reap the fullest possible benefit from their land and labour without wastage, provide for their needs over long periods and ensure that natural resources are not exhausted.

5. Water supply and irrigation canals should be built and measures taken to ensure that water supplies are fairly distributed throughout tribal lands; action should be taken to prevent the systematic and irrational deforestation of the said lands and the wastage of the water resources.

6. These peoples should be persuaded to cultivate a greater variety of crops, wherever the nature of the soil, the presence of water and climatic conditions will allow, in order to improve their general social conditions and increase their economic independence.

7. The development of handicrafts and arts should be encouraged among indigenous forest dwellers, with due regard to the safeguarding of their traditional characteristics and particular modes of cultural expression.

8. These peoples should be persuaded to take practical steps to form production, consumption and marketing co-operatives of types building upon existing forms of tribal co-operation.

9. The raw materials and tools needed by indigenous forest dwellers for handicraft work should be made available to them by appropriate means such as, for example, the establishment of stores for the sale or barter of such materials and tools on the best possible terms, or again, they might be provided on loan or even free of charge.

10. Markets should be organised for the sale of goods produced by indigenous forest dwellers in which fair prices are paid for such goods and the producers are protected from speculation and exploitation by middlemen.

11. Communications between regions inhabited by indigenous forest dwellers and other centres of population in the country should in due course be opened up, maintained and developed.

12. A reserve fund should be constituted by levies on the present incomes of mining, petroleum and other undertakings situated in tribal territory in order to provide work and alternative resources for indigenous forest dwellers when these undertakings cease to operate and in the meantime to subsidise the provision of basic medical and public health care.

Hygiene and Health

13. A systematic study should be made of general health conditions in areas inhabited by indigenous forest dwellers and the principal diseases prevailing among them.

14. Public health schemes to combat the diseases prevailing in these regions should be drawn up and applied.

15. Medical missions should be organised to give doctors and biologists specialised training relating to the diseases most frequently found among indigenous forest dwellers.

16. Fully qualified mobile health teams should be organised to make periodic visits to indigenous forest dwellers in areas which are isolated or difficult of access and emergency measures should be taken to arrest epidemics breaking out in particular areas.

17. As far as possible, indigenous forest dwellers themselves must be encouraged and persuaded to take part in all action to improve health conditions or to provide medico-social services; to this end, they should be enabled to acquire the necessary knowledge (nursing staff and general medical practitioners of indigenous origin).

18. Individual indigenous forest dwellers, according to information derived from basic social studies, occupying positions of social status should be associated as quickly as possible with all public health schemes or measures and should be persuaded to take part in the work of winning over their peoples to appreciate the advantages of therapeutic and public health action, if necessary by helping to reconcile such measures with the prevailing social practices of religion and magic.

19. Vitamins and simple medicines should be systematically distributed to indigenous forest dwellers suffering from avitaminosis, dermatosis, diseases of the digestive system, malaria, etc.

20. Dispensaries should be established and maintained in tribal territories; they should be staffed with qualified persons and provided with sufficient quantities of essential medicines for the systematic treatment of diseases.

21. The introduction of alcoholic drinks into areas inhabited by indigenous forest dwellers should be prohibited; in particular, measures should be taken to ensure that intoxicating drinks are not given to forest dwellers in exchange for their services and products.

22. Wherever necessary, authorities should promote the construction of simple, hygienic dwellings in the local style, adapted to the prevailing climate and designed and built with available materials and making due allowance for the social customs prevailing in certain communities.

23. Where it has already happened that some indigenous forest dwellers have become accustomed to leave their tribal territories for work in other areas, villages should be built at the place of employment for them so that they may enjoy communal life corresponding to their traditional customs; but members of different tribes which for religious or traditional reasons cannot live together should not be brought to the same villages.

II. RESOLUTION CONCERNING MEASURES FOR THE PROTECTION AND INTEGRATION OF INDIGENOUS FOREST DWELLERS

The Committee of Experts on Indigenous Labour of the International Labour Organisation,

Considering the special situation of indigenous forest dwellers due to the geographical isolation in which they live and the cultural, economic and social characteristic proper to them;

Considering that in some countries and for that reason such peoples are prevented from enjoying the benefits of the general laws guaranteeing the rights essential for a life consistent with human dignity, and protecting the life, property and labour of citizens;

Considering that their special situation lays indigenous forest dwellers open to abuse and injustice committed by more advanced sections of the population;

Considering that the special conditions governing the relationships of such peoples with national society renders them unable to survive the impact of civilisation unless they are specially protected;

Considering that it is imperative that the law have regard to the real situation of inequality of such peoples;

Considering that in the problems raised by the integration of indigenous forest dwellers, the process of cultural adjustment is of special importance and that, first and foremost any injudicious change brought about in tribal values and institutions may represent a danger for their ecological and social balance;

Considering that appropriate measures are needed to secure such peoples effective protection and enable them to be gradually integrated into national communities: and

Considering that so long as the indigenous forest dweller lives in an isolated and protected state his rights and duties should be defined having regard to his own customary law, but that with the development of the process of integration the indigenous forest dweller, already possessing the rights of citizenship, may be expected gradually to assume the correlative duties of citizenship as defined by the national laws of his own state -

Requests the Governing Body of the International Labour Office to authorise the Director-General, in close consultation with the United Nations and the specialised agencies, according to their mutual agreements, to recommend the governments of the countries concerned to take the necessary measures to provide indigenous forest dwellers with assistance and protection, either through the establishment of special and transitional legal regulations, or through the creation of special machinery within the scope of general legislation; and

1. The elaboration of protective measures for indigenous forest dwellers should be guided by the following principles:

(a) respect for indigenous tribes as peoples with the right to self-fulfilment, maintaining their own individuality, having their own beliefs and living according to their traditional way of existence, which can change only gradually;

(b) the carrying out of any protection programme in the tribal territory, from which the indigenous people must not be removed; in the community, which must be respected as the operative social unit of such groups; and without deliberately breaking up the indigenous family, even for the purpose of educating the children;

(c) elimination of the possibility of depriving any person of the benefits of general legislation by the fact of his being indigenous;

(d) the necessity of protective measures, and especially legislation, having regard to the dynamic nature of the integration process, in such a way that their application to each tribe be adjusted to fit the stage reached by the tribe in that process.

2. As regards the rights which indigenous forest dwellers are to be granted and guaranteed, the measures to be consid. should be designed to cover the aspects listed below.

Protection of Persons

3. The fact that an offence of any kind is committed by a non-indigenous person against an indigenous forest dweller, family or community should be treated as an aggravating circumstance in determining the penalty. Within this category of offence are to be especially included participation in or instigation of wars between indigenous forest-dwelling tribes and participation in disputes within tribes.

4. The authority entrusted with the protection of their interests, and competent to understand the cultural motivation by which the offender may have been inspired should be represented on courts judging offences or crimes committed by indigenous forest dwellers.

5. In those indigenous forest-dwelling communities which retain their own systems of social control, these systems should be respected and used as far as possible for the purpose outlined in the preceding paragraph.

6. Indigenous forest dwellers should be safeguarded against the abuse of preventive detention, regard being had to the degree of cultural development of the accused in applying penal sanctions and preference being given to rehabilitation methods, incarceration being avoided as far as possible.

7. Free legal defence services for indigenous forest dwellers should be instituted.

Protection of Property

8. Indigenous forest dwellers should be granted inalienabl communal property rights over the lands they occupy and guaranteed full rights of occupation and use; the rules for the transmission of rights of user of land established by the habits and customs of the various tribes should be respec the lease and mortgage of tribal lands should be prohibited; and the devolution of proprietary rights over indigenous land by prescription should be forbidden.

9. The expropriation of land belonging to indigenous forest dwellers should be energetically punished, and the procedure by which they establish title to land should be simplified as far as possible.

Protection of Labour

10. Employment relations should be safeguarded and conditions for recruitment and the payment of wages determined having regard to the special conditions of each tribe.

11. Forced labour and compulsory personal services in any form, whether paid or unpaid, should be abolished.

Measures for Gradual Integration

12. Special measures designed to protect indigenous forest dwellers will further the task of gradual integration to the extent that they include provisions to:

(a) ensure that all the methods used in connection with indigenous forest dwellers are based exclusively on persuasion and not on force or moral coercion;

(b) secure that tribal ties and values, and respect for the political, religious and social institutions of indigenous forest dwellers are duly safeguarded, gradually replacing traditional practices by new practices where the former run counter to national values;

(c) provide indigenous forest dwellers with instruction, vocational training where applicable, and education through the establishment and maintenance of schools specially adapted to the particular conditions and needs of such peoples;

(d) grant indigenous forest dwellers the best possible medical assistance.

III. RESOLUTION CONCERNING RECRUITMENT OF INDIGENOUS FOREST DWELLERS AND THEIR CONDITIONS OF EMPLOYMENT

The Committee of Experts on Indigenous Labour of the International Labour Organisation,

Considering that indigenous forest dwellers from time to time leave their traditional occupations, either individually or in groups, to take up agriculture, forestry or other work with a view to obtaining products or articles which they cannot obtain or make in the course of their normal activity;

Considering that indigenous forest dwellers very often are engaged at wages lower than those normally paid to other workers employed on similar work and do not receive medical or social assistance of any kind; and

Considering that some groups of indigenous forest dwellers have as yet little idea of labour relations, or of the value of money or of the goods they desire to obtain, and that in addition certain methods of remunerating labour which facilitate the exploitation of indigenous forest dwellers are customary -

Recommends the Governing Body of the International Labour Office to authorise the Director-General to draw the attention of the governments concerned to the need:

(1) to supervise and regulate methods of recruitment of indigenous forest dwellers, taking the Recruiting of Indigenous Workers Convention, 1936, as a basis for such action;

(2) to exercise control over all contracts of employment entered into by indigenous forest dwellers so as to ensure that such contracts do not give rise to abuses prejudicial to the said workers but guarantee them decent conditions of work;

(3) to determine methods of wage payments and to ensure that the advance payment of wages in cash or in kind (in the form of tools, clothes, household utensils, articles of common use, etc.) does not result in the permanent indebtedness and subsequent exploitation of the worker;

(4) to ensure that the barter or exchange of goods or merchandise by indigenous forest dwellers with persons from outside indigenous communities is carried out on fair and just terms;

(5) to regulate the employment of indigenous forest dwellers so as to prohibit depriving them of their individual liberty, or withholding or confiscating articles which they commonly use, on the ground of debt or of unfulfilled labour contracts, without prior approval by the competent legal or administrative authorities;

(6) to suppress and to enforce the prohibition of compulsory or forced labour and any form of service, whether remunerated or not, resembling forced labour;

(7) establishment of rules to govern the payment of wages, whether in cash or in kind; ban on the payment of wages under any circumstances in the form of liquor of high alcoholic content or of noxious drugs;

(8) undertaking by the contracting parties to report to one another on any case of ill-treatment or abuse suffered in a frontier zone by indigenous forest dwellers at the hands of persons from outside such communities, offences committed against members of indigenous forest-dwelling communities being considered as ordinary criminal offences for which the offender should be liable to extradition for trial by a competent court;

(9) undertaking by the contracting parties to consult together with a view to taking such joint action as may be necessary in frontier zones to put an end to any ill-treatment or abuse of indigenous forest dwellers and to pacify any indigenous forest-dwelling tribes who might be in conflict one with another.

V. RESOLUTION CONCERNING LAND TENURE OF INDIGENOUS FOREST DWELLERS

The Committee of Experts on Indigenous Labour of the International Labour Organisation,

Considering the outstanding importance of the land question among the problems affecting the life and development of indigenous forest dwellers;

Considering that in some regions indigenous forest dwellers often lose or risk losing the possession of their individual or tribal land, through chronic indebtedness resulting from insufficient payment for their labour and from their own inefficient economic organisation;

Considering that some indigenous forest dwellers now suffer from a shortage of the cultivable land which is needed for their subsistence and normal development;

Considering that in some countries there is no legislation recognising and safeguarding for indigenous forest dwellers the effect individual or communal ownership of and rights over the aland which they need in order to live; and

Considering that the development of modern economic life leads to a constant search for more cultivable land and more forest and mineral wealth and that in consequence indigenous forest dwellers may be profoundly affected both as regardsthe land on which they liv and as regards their very existence -

Requests the Governing Body of the International Labour Office to authorise the Director-General, in close consultation with the United Nations and the specialised agencies, according to their mutual agreements, to invite the governments concerned to study with particular care the problem of land for indigenous forest dwellers and to consider any action calculated to secure to the said populations both effective and formal ownership of the lands they occupy, together with the means for the effective development of those lands; and

Suggests that the governments concerned might have regard to the following rules when preparing any legislation or regulation in this regard:

(1) The title of indigenous forest dwellers to the land they occupy should be recognised, and its possession should be defined and guaranteed; indigenous forest dwellers should be provided with more land if they have not the area (including sufficient cultivable, grazing and forest land, hunting grounds and rivers or streams) necessary for the subsistence and any possible future development of the tribe; the inalienability of such land should be ensured; leasing should be prohibited save in exceptional circumstances defined by law; and mortgaging should be prohibited.

(2) Ownership of land should be secured to tribes which move periodically owing to seasonal climatic or to economic conditions but return regularly to their starting point and generally remain on their traditional tribal territory.

(3) Steps should be taken to ensure that rights over land are transferred in conformity with the usage of the respective indigenous forest dwellers, groups or tribes; the indigenous forest dwellers

(b) guaranteeing effective possession of tribal lands by indigenous forest dwellers;

(c) control the administration of the property and income of indigenous forest-dwelling communities until such time as these communities do not need such control;

(d) maintaining and ensuring respect for tribes' internal and family organisation, independence, customs and traditions as enthnic and cultural units with the right to self-fulfilment;

(e) enforcing punishment for offences committed against aboriginal forest dwellers;

(f) the establishment and maintenance of schools specially adapted to the cultural conditions of indigenous forest dwellers;

(g) the provision of the necessary medical and health assistance for such populations;

(h) so far as national law permits, and by virtue of powers delegated by the national government, the granting or withholding of permission for individuals or official, semi-official or private institutions to carry on activities among indigenous forest dwellers; determining the general regulations to be observed by such institutions; superintending the activities of persons or institutions to whom such permission has been granted; guiding and co-ordinating their activities in the cultural, economic and social fields, with powers to cancel the permission granted should their activities appear to be harmful or dangerous for the tribal community or likely to hamper the process of integration.

Methods

6. The methods used by the national agency entrusted with the programme of integration should always match the degree of cultural, economic and social evolution attained by the indigenous forest dwellers and be based on the following general principles.

7. Action with a view to promoting the integration of indigenous forest dwellers should in no circumstances have recourse to force or moral coercion and should be based upon their freely given consent.

8. Problems affecting the administration of tribal communities should be jointly discussed and solved by the co-operation of the administrative officers with the leaders of those communities.

9. Any new social, economic or cultural elements to be introduced among tribal communities should always be carefully designed to fit in with the stage reached by each community in its development.

10. So far as possible general plans for the education of indigenous forest dwellers should be based on socio-anthropological surveys of their cultures.

11. In the initial stage of the process of integration of indigenous forest dwellers fundamental education should be introduced so as to focus their interest on practical problems of their environment and so lead to an enrichment of both individual and social life, and the economic development of their communities.

12. So far as possible the first stages of such education should be given in the indigenous language; the acquiring of elementary literacy is a vital next step in the process of integrating indigenous peoples into national life. The preparation and teaching of alphabets suited to the writing of indigenous languages is recommended for non-acculturated groups as the first step in the acquisition of literacy in the national language.

13. The educational centres for indigenous people should be situated in the indigenous communities and, as far as possible, make use of indigenous persons trained as instructors.

14. Vocational training programmes for those indigenous forest dwellers who have already become partially integrated into the national economy should be instituted for the purpose of (a) the more efficient utilisation of traditional economic activities, or (b) the development of new skills of economic value. Professional training of such people should be undertaken to provide teachers, nurses and other technicians, particularly to serve in indigenous communities.

15. Educational action should be undertaken among the non-indigenous groups of the rural population in contact with indigenous fforest dwellers, with the object of eliminating any prejudice they may have against them and of inculcating a sense a sense of esteem for and justice towards the indigenous groups.

Rajew
9/8/54

Copy ofthe letter No.RD 105(2), dated the 15th September 1954 from the Government ofIndia(Ministry of Labour), New Delhi to the Chief Secretary to the Government of Coorg.

.....

Subject:- Action taken or proposed to be taken on the resolutions adopted at the Second session of the I.L.O.Committee of Experts on Indigenous Labour, Geneva, March 1954.

.....

I am directed to forward herewith a copy ofthe resolutions adopted at the second session ofthe I. L.O.Committee ofExperts on Indigenous Labour(Geneva, March 1954) and to request that these may kindly be examined and a statement of action taken or proposed to be taken on them, forwarded so as to reach this Ministry by thelst November 1954.

502/12c
12-10-54

.....

No.A-10/ 11577

Chief Secretariat.
Mercara, the 12th October 1954

Copy with the enclosure in original forwarded to the Commissioner ofLabour, Coorg for remarks by the 20th October 1954. The enclosures may please be returned with the reply.

for CHIEF SECRETARY.

P.R.S.
11/10

Reference - endorsement No. A-10-11577 dated the 12-10-1954, from the Chief Secretary to the Government of Coorg.

Sec.St.Dis. # 475-44-54
2-11-54.

Retransmitted. Work connected with the Welfare of the Indigenous Forest Dwellers is being taken up by the Labour Welfare Department with the co-operation of other departments since the latter half of last year. As a ~~sort of~~ preliminary to the work connected with the amelioration of these people, tribal rallies, conferences and exhibitions were held. Some encouragement was given to~~wards~~ the improvement of cottage industries by supplying raw materials.

Proposals are under consideration for the settlement of these people by opening colonies in three places to start with. Proposal to build 72 small cottages in different parts of the State is also under the active consideration of the Government.

Propaganda, publicity and Cultural Development work on a planned scale is also being worked out.

The Labour Welfare Department has also arranged for intensive Social Service Work with a view to improve the Social and Economic conditionsof these people. With the co-operation of the Public Health Department, the Labour Welfare Department is also attending to work connected with the health and Hygiene of the Indigeneous Forest Dwellers. Education to these people (~~on an intensified measure~~) is being provided by the Education Department.

Other aspects of their welfare which are suggested in the I.L.C., resolutions are being tackled as follows:-

Analysis of cultural development: The Labour Welfare Department is bearing this in mind while carrying out measures to improve the welfare of the Tribals.

Economic Development: With regard to economic development, arrangements are being made to supply materials through the co-operative department and also supply free of cost bee hive boxes. During 1953-54 raw materials for rattan work were distributed to the tune of Rs. 5,000/ and 240 bee hive boxes were distributed free of cost. It is proposed to continue this scheme for the encouragement of cottage industries and thereby improve their economic position on a more intensified measure

Hygiene and Health: Visits to Tribal Areas and colonies by Welfare Officers and Social Welfare Workers are being organised, when instructions on the preventive and protective sides are given. Public Health Nurses and midwives also visit the areas. There is no medical staff specially meant for ~~ti~~ this purpose.

Protection of persons: There is no special legislation for this purpose. However, the Labour Welfare Department looks after their welfare both from the employment and social ~~stand~~ point of view.

Protection of Property: There are no special rules governing this subject. However, the Labour Welfare Department interests itself in seeing that their property

P.T.O...

rights are properly protected.

Protection of Labour: All Labour Laws applicable to other workers are also ~~operating in the case of these people~~ applicable to these people when they are employed.

Measures for gradual integration: These are now being taken up by the Labour Welfare Department on the lines suggested.

Measures concerning recruitment: None of the suggestions given in the resolution is practised, but the department will bear in mind the suggestions given while taking up work on this subject.

Measures concerning protection of indigenous forest dwellers in frontier areas: The suggestions given will be borne by the Labour Welfare Department in its work on this behalf, whenever occasion arises

Land tenure of indigeneous forest dwellers: There are no special laws governing this. The suggestions given will be borne while taking up this subject in the future

National agencies entrusted with the protection and integration of indigenous forest dwellers: There are no such agencies existing in this State at present. The work is being carried ~~through~~ by the Labour Welfare Department. This department will bear all this in mind in its future work.

The Tribal people in Coorg are not strictly Forest Dwellers. Practically almost all of them work for the major part of the year under the Forest Dept in Coorg Forests as Coolies or in the adjoining villages as agricultural Labourers or Coolies in Plantations

Commissioner of Labour,
Coorg.

man/

No. H-10 Madras, the Nov., '54

To

The Dy. Secretary to the

Govt. of India

Ministry of Labour

New Delhi.

Sub:- Action taken or proposed to be taken on the resolutions adopted at the Second Session of the I.L.O. Committee of Experts on Indigenous Labour, Geneva, March 1954.

Sir

I am directed to refer to your letter no. R.D. 105 (2) dated 15-9-54 on the above subject and to say that (here enter the portion marked in the P.R.C.)

Yours

Ch Secy

4.11.54.

4.11.54

IMMEDIATE. DESPATCHED. 18/15 November 1954.

A.10. 14018

From - Shri. I. C. Subbiah, M.A.,B.L.,
Chief Secretary to the Government of Coorg.

The Deputy Secretary to the Government of India,
Ministry of Labour,
NEW DELHI.

ACTION TAKEN OR PROPOSED TO BE TAKEN ON THE RESOLUTIONS ADOPTED AT THE SECOND SESSION OF THE I.L.O. COMMITTEE OF EXPERTS ON INDIGENOUS LABOUR, GENEVA, MARCH 1954.

.....

I am directed to refer to your letter No. R.D.105(2), dated the 15th September 1954, on the above subject and to say that work connected with the Welfare of the Indigenous Forest Dwellers is being taken up by the Labour Welfare Department with the co-operation of other departments since the latter half of last year. As a preliminary to the work connected with the amelioration of these people, tribal rallies, conferences and exhibitions were held. Some encouragement was given to the improvement of cottage industries by supplying raw materials.

2. Proposals are under consideration for the settlement of these people by opening colonies in three places to start with. Proposal to build 72 small cottages in different parts of the State is also under the active consideration of the Government.

3. Propaganda, publicity and Cultural Development work on a planned scale is also being worked out.

4. The Labour Welfare Department has also arranged for intensive Social Service Work with a view to improve the Social and Economic conditions of these people. With the co-operation of the Public Health Department, the Labour Welfare Department is also attending to work connected with the Health and Hygiene of the Indigenous Forest Dwellers. Intensive education to these people is being provided by the Education Department.

5.

5. Other aspects of their welfare which are suggested in the I.L.O., resolutions are being tackled as follows:-

Analysis of cultural development:-

The Labour Welfare Department is bearing this in mind while carrying out measures to improve the welfare of the Tribals.

Economic Development:-

With regard to economic development, arrangements are being made to supply materials through the co-operative department and also supply free of cost bee hive boxes. During 1953-54 raw materials for rattan work were distributed to the tune of Rs. 5,000/- and 240 bee hive boxes were distributed free of cost. It is proposed to continue this scheme for the encouragem-ent of cottage industries and thereby improve their economic position on a more intensified measure.

Hygiene and Health:- Visits to Tribal Areas and colonies by Welfare Officers and Social Welfare Workers are being organised, when instructions on the preventive and protective sides are given. Public Health Nurses and Midwives also visit the areas. There is no medical staff specially meant for this purpose.

Protection of persons:- There is no special legislation for this purpose. However, the Labour Welfare Department looks after their welfare both from the employment and social point of view.

Protection of Property:-

There are no special rules governing this subject However, the Labour Welfare Department interests itself in seeing that their property rights are properly protected.

Protection of Labour:-

All Labour Laws applicable to other workers are also applicable to these people when they are employed.

Measures for gradual integration:-

These are now being taken up by the Labour Welfare Department on the lines suggested.

Measures concerning recruitment:-

None of the suggestions given in the resolution is practised, but the department will bear in mind the suggestio given while taking up work on this subject.

Measures concerning protection of indigenous forest dwellers in frontier areas:-

The suggestions given will be borne by the Labour Welfare Department in its work on this behalf, whenever occasion arises.

Land tenure of indigenous forest dwellers:-

There are no special laws governing this. The suggestions given will be borne while taking up this subject in the future.

National agencies entrusted with the protection and integration of indigenous forest dwellers.

There are no such agencies existing in this State at present. The work is being carried on by the Labour Welfare Department. This department will bear all this in mind in its future work.

The Tribal people in Coorg are not strictly Forest Dwellers. Practically almost all of them work for the major part of the year under the Forest Department in Coorg Forests as Mazdoors or in the adjoining villages as Agricultural labourers or mazdoors in plantations.

Yours faithfully,

(I. C. SUBBIAH)
CHIEF SECRETARY.

KBM/17-11.

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VI. RESOLUTION CONCERNING NATIONAL AGENCIES ENTRUSTED WITH THE PROTECTION AND INTEGRATION OF INDIGENOUS FOREST DWELLERS

The Committee of Experts on Indigenous Labour of the International Labour Organisation,

Considering the diversity of the problems raised by the integration of indigenous forest dwellers and the complexity of the action it is necessary to undertake in order to achieve that object with due regard for the special cultural features of such groups of the population while protecting their persons and property;

Considering the need for co-ordinated and systematic action within the framework of a clearly defined policy of protection and progressive integration; and

Considering that such action is essentially a matter for governments who alone possess the necessary authority and means to carry it out -

Requests the Governing Body of the International Labour Office to authorise the Director-General, in close consultation with the United Nations and the specialised agencies, according to their mutual agreements, to invite the governments concerned to consider the need to set up national agencies, where none exists, or to develop special programmes within existing agencies for indigenous protection with a view to studying the problems of indigenous forest dwellers, encouraging their cultural, economic and social development, supervising their protection and promoting their gradual integration into the national community by rational and co-ordinated methods.

The constitution and work of such national agencies might well be based on the following principles:

Structure and Composition

1. The structure and composition of a national agency responsible for indigenous forest dwellers would depend on the general structure of the government of the country, the size of the area inhabited by, and the number of, existing forest dwellers. Such agency should enjoy administrative autonomy and be provided with financial resources commensurate with the task to be entrusted to it.

2. Such national agency should have, in addition to its central services, a certain number of regional centres situated in areas where the tribal population is most concentrated.

3. The national agency should be provided with a staff of officials properly selected and trained for the special tasks they have to perform.

4. Where feasible they should also be recruited from among those members of indigenous forest-dwelling communities most suitable for such training and to perform such duties.

Functions

5. The essential functions of such an agency might be as follows:

(a) the planning, co-ordination and execution of all activities designed to promote the social, economic and cultural development and wellbeing of the indigenous forest dwellers; the enforcement of laws and regulations relating to such peoples; advising the government in matters in connection with integration problems, and legislative and practical measures to be adopted;

should be made secure in the product of their labour, the ownership of their real and personal estate, a fair share in profits arising from development of underground wealth within their land and receipt of reasonable rents for any land which they may lease, under special legal provisions, to individuals or legal persons not belonging to the tribe.

(4) Indigenous forest dwellers should be helped to free themselves from indebtedness and to develop their land by means of subsidies, low-cost loans and other necessary assistance.

(5) Steps should be taken to assist indigenous forest dwellers in developing appropriate techniques of agriculture and animal husbandry so as to promote their general development and welfare, while maintaining their traditional communal structure.

(6) The removal of indigenous forest dwellers, without their freely-given consent, from their habitual territory should be prohibited and the specific reservation of lands for occupation by indigenous forest dwellers should not be permitted to develop into a permanent system of segregation.

IV. RESOLUTION CONCERNING THE PROTECTION OF INDIGENOUS FOREST DWELLERS IN FRONTIER AREAS

The Committee of Experts on Indigenous Labour of the International Labour Organisation,

Considering that the tribal areas of indigenous forest dwellers living in frontier zones are often divided between two or more states and that this situation often presents the governments concerned with special problems because some of these groups have nomadic or semi-nomadic habits;

Considering that an ever-increasing number of indigenous forest dwellers are crossing the frontiers of certain states to take up temporary employment as agricultural, forestry or other workers;

Considering that such movements from one country to another often lead to the exploitation of indigenous forest dwellers by labour recruiters, whose profitable activities go unpunished and unchecked; and

Considering that the governments concerned can put an end to such exploitations of indigenous forest dwellers only by concerted action -

Recommends the Governing Body of the International Labour Office to authorise the Director-General, in close consultation with the United Nations and the specialised agencies, according to their mutual agreements, to invite the governments of countries with common frontiers and with indigenous forest dwellers living in their frontier territories to conclude treaties or agreements with the object of facilitating the free movement of indigenous forest dwellers in their national habitat, suppressing the exploitation of indigenous forest dwellers and putting an end to the depredations of which they are frequently the victims. Treaties or agreements of this kind should include, inter alia, provisions modelled on the following rules or principles:

(1) Special regulation of the passage of indigenous forest dwellers across frontiers with a view to facilitating their movements within any tribal territory which lies astride a frontier;

(2) undertaking by the contracting parties that nothing shall preclude indigenous forest dwellers crossing frontiers for marketing purposes and other commercial reasons exclusively connected with their own traditional and tribal economy;

(3) ban on attempts on the part of those outside the indigenous community concerned to force indigenous forest dwellers to move from one country to another and to stay against their will;

(4) regulation of labour recruiters' activities among indigenous forest dwellers;

(5) undertaking by the contracting parties to concern themselves with the indigenous forest-dwelling tribes of other countries who are in their territory, to protect these tribes, educate and assist the members and improve their conditions of life, without discrimination on account of their nationality or of whether they are settled or semi-nomadic in character;

(6) undertaking by the contracting parties not to tolerate compulsory labour in any form, and to ensure that indigenous forest dwellers of whatever origin who work for national employers receive fair wages in keeping with the time and place and in accordance with the standard in operation in the area;

(7) to take measures to ensure that employers grant to indigenous forest dwellers the same benefits which the laws require them to afford to workers in general, in particular, medical and social assistance, and, where possible housing;

(8) to take measures to ensure that as far as possible employers establish dispensaries and schools open to the indigenous forest dwellers and their families;

(9) to study the possibilities of adapting employment contracts to tribal customs.